

**MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION
SEPTEMBER 5, 2007**

Approved minutes are available at www.gaithersburgmd.gov/minutes.

to prepare an opinion resolution for denial of the plan. She added that the Commission received for this meeting a staff memorandum restating its denial recommendation and the bases for the denial which addressed questions previously raised by the applicant relating to the reasons for staff's recommendation.

Chair Bauer invited testimony from the public and there was none.

Attorney for the applicant, Barbara Sears, Esq., Linowes and Blocher, briefly commented on staff's memorandum and repeated the applicant's request for approval of the application.

Chair Bauer noted the Commission's review of this concept plan should not focus on the architectural design or the use, but on its planning strategy in terms of compliance with the Master Plan. He voiced his position in favor of denial of this plan, based on Zoning Ordinance § 24-170A, noting the plan clearly does not meet the approval criteria. He added, however, he would remain open minded to see high-quality development on this site and encouraged the applicant's team to continue to work on fulfilling the intent of the Master Plan.

Commissioner Kaufman agreed with Chair Bauer's comments, adding that the plan before the Commission does not demonstrate a harmonious integration or compatibility with the area. Vice-Chair Levy and Commissioner Winborne also favored denial, noting the staff memorandum had adequately considered the questions posed by the applicant's team. They agreed with the findings of the staff analysis and the considerations discussed on the aforementioned memorandum.

Vice-Chair Levy moved, seconded by Commissioner Kaufman, to direct staff to prepare an Opinion Resolution DENYING CSP-07-001 - GE Technology Park, CONCEPT PLAN.

Vote: 5-0

AFP-07-024 -- Rolling Stock Park
5 Summit Avenue
Park Plaza

CBD Zone

AMENDMENT TO FINAL PLAN REVIEW

Planner Patula located the site on an aerial photograph.

Capital Projects/Facilities Director Geiling presented the plan for a park area around the existing Community Museum, noting it proposes a brick plaza, the addition of a new caboose and a railroad Budd car to house a museum annex for additional exhibits and a research area. He discussed some of the features of the plan, including ramps, compliant with the Americans with Disabilities Act (ADA) specifications, removable boardwalks, brick pavers, lighting, seating and landscaping areas. In response to Commissioner Kaufman, Mr. Geiling noted the proposed lighting would be consistent with that existing on the plaza.

Planner Patula referenced Exhibit 9A to show the proposed lighting and voiced staff's recommendation for approval, noting the plan complies with the Zoning Ordinance, with conditions that she listed.

There was no public testimony.

Chair Bauer commented very favorably on the plan, noting that the additional features merit some directional/identification signage.

Vice-Chair Levy moved, seconded by Commissioner Winborne, to grant AFP-07-024 - Rolling Stock Park, AMENDMENT TO FINAL

PLAN APPROVAL, finding it in compliance with Zoning Ordinance §§ 24-170 and 24-172A, with the following conditions:

1. Prior to the issuance of a permit, the applicant is to add the following notes to the plan:
 - a) All decking, brick pavement, concrete channel, and planting shall be installed in such a manner as to provide positive drainage of all areas so there is no accumulation of surface water;
 - b) Any work in the CSX right-of-way is subject to CSX approval;
2. Applicant is to insure there is a non-skid surface on the wooden handicap ramps prior to the issuance of a permit;
3. Applicant is to select a park bench with the center arm rest prior to the issuance of a permit; and
4. Applicant is to receive a historic area work permit from the Historic District Commission prior to the issuance of a permit.

Vote: 5-0

IV. FROM THE COMMISSION

Alternate Commissioner Lanier

Reported she attended a Gaithersburg High School alumni reunion, with a proclamation delivered by Mayor Katz that celebrated the City of Gaithersburg.

V. FROM STAFF

Community Planning Director Schwarz

1. Announced the Mayor and Council will continue its September 4, 2007, meeting agenda on September 10, as their meeting was postponed due to a power failure.
2. Announced the Kentlands Boulevard Urban Design Workshop is scheduled for September 11 at 255 Kentlands Boulevard at 7:00 p.m.
3. Announced the Commission will tour the Rockville Town Center with Rockville City Staff on Tuesday, September 25, noting that additional information is available on the City's website and that the public is welcomed to attend.

VI. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 8:00 p.m.

Respectfully submitted,

M. Gonzalez
Recording Secretary